

# NOTICE OF APPEAL AND PUBLIC HEARING

Form DS1700



The Department of Community Development has received an Appeal of a Land Use Decision, as described below. This Appeal is subject to public notice and public hearing pursuant to Clark County Code (CCC) Chapter 40.510.020(H)

The Clark County Hearings Examiner will conduct the public hearing on **June 22, 2006 at 6:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 5:00pm.

At the hearing, the Examiner will consider the following:

**Project Name:** **MARTINEZ LAWNCARE**

**Case Number:** **APL2006-00008**

**Location:** 6700 NE 98<sup>th</sup> Ave

**Request:** Approval of a home business permit to operate a landscape maintenance business from a 15,850 square foot residential lot located in the Single-family Residential (R1-7.5) zone.

**Appeal Issues:** The appellants assert that the applicant does not reside at the site of the home business, and that the public notice and staff report contain various errors and omissions.

**Appellants:** Ronald & Darlene Deering  
6701 NE 98TH AVE  
Vancouver, WA 98662

**Date of Notice:** April 21, 2006

**Neighborhood Contact:** Maple Tree Neighborhood Association  
Kevin Soma, President  
7415 NE 93<sup>rd</sup> Court  
Vancouver WA 98662  
(360) 891-1162

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**Staff Contact:** Alan Boguslawski ext. 4921

**Legal Description of Property:**

Parcel (105521-020), located in the SW ¼ of Section 09, Township 2 North, Range 2 East of the Willamette Meridian.

**Applicable Laws:**

Clark County Code Sections: 40.220.010 (Single-family Residential Districts), 40.260.100 (Home Businesses), 40.500 (Procedures), 40.510.020 (Type II Process).

**Public Information Available:**

The appeal document and case file, the Staff Report & Decision under appeal, the case file for the site plan review application, and the Clark County Code are available for review by the public during office hours at the Department of Community Development, 1300 Franklin Street, Vancouver WA. A Staff Report and Recommendation to the Hearing Examiner will be prepared by staff and available to the public two weeks prior to the public hearing.

**Public Testimony Process:**

Any person wishing to present testimony should arrive by **6:00 p.m.** at the Public Service Center, 1300 Franklin Street, Vancouver, Washington.

**Faxed & Written Testimony**

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: Rosie Hsiao. Written testimony can be mailed or hand delivered to the Customer Service Center, Department of Community Development, Development Services Division, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810. Faxed, mailed or delivered testimony must be received at the Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

**Appeal Process:**

The Hearing Examiner normally issues a decision within two weeks from the close of the public hearing. In accordance with Clark County Code 18.600.100, appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA procedural appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the

amount of **\$266**. Checks shall be made payable to the Board of County Commissioners.

**Accommodation of Physical Impairments:**

The Public Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact Rosie Hsiao at (360) 397-2375, Ext. 4335 or call the Telecommunications Device for the Deaf (TDD) line at (360) 737-6057.

**Public Service Center  
Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA. 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**